

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 29, 2002 LB 95

Whenever the rules and regulations defining those terms would be changed, they would change the impact of this statute automatically, would you agree with that?

SENATOR SCHIMEK: Well, anything that's subject to the rules and regs of a particular agency is subject, I guess, to interpretation, yes.

SENATOR CHAMBERS: But they don't change the statute. This says that these terms...this section does not apply to persons who are passengers of, but not operators of, a limousine being used in a charter or special party service as such terms are defined by Public Service Commission rules and regulations. If the Public Service changes the definition...

SENATOR SCHIMEK: Yes.

SENATOR CHAMBERS: ...then it changes the statute, doesn't...

SENATOR SCHIMEK: Yes.

SENATOR CHAMBERS: ...it? And that would be an amendatory act, which is an improper delegation of legislative authority, that's the point that I'm making. You may disagree with it, but do you understand what I'm saying?

SENATOR SCHIMEK: Yes.

SENATOR CHAMBERS: Okay. Now to...I'm on my time, right? Okay. I'm going to continue. Senator Bromm, well, let me just comment without Senator Bromm being here. If you look at the amendment, going back to line 13: In the case of a special party service, the carrier shall notify passengers at the time of reservation. Well, if one person is calling to make the reservation, the passengers are not there. The passengers are not notified at the time of reservation. So they've got a disconnect there. It seems to me that if you're going to talk about notifying passengers, you'd notify them when they're going to get on board the "liquor ship". So that doesn't really make very good sense. The purchase of transportation services, you can say, if you'd like, that a purchase occurs in this context, at the same time